

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MAERSK, INC., and A.P. MOLLER-MAERSK, A/S

Plaintiffs,

-against-

NEEWRA, INC, REDNIHOM, INC., AREF HASSAN ABUL
INC., ARWEEN SINGH SAHNI a/k/a ARWEEN SAHNI
SINGH, a/k/a ARWEEN SAHNI a/k/a ARWEEN SINGH a/k/a
ABUL SABAH a/k/a AREF HASSAN ABUL, MOHINDER
SINGH SAHNI a/k/a MOHINDER SAHNI SINGH a/k/a
MOHINDER SAHNI a/k/a MOHINDER SINGH a/k/a
MOHINDER SINGH SAHANI a/k/a MOHINDER SAHANI
a/k/a MOHINDER SAHANI SINGH, a/k/a JOGINDER SINGH :
SAHNI, JOGINDER SINGH SAHNI, a/k/a JOGINGER SINGH :
SAHNI a/k/a JOGINDER SAHNI SINGH a/k/a JOGINGER :
SAHNI SINGH a/k/a JOGINDER SINGH a/k/a JOGINDER :
SAHNI a/k/a JOGINGER SINGH a/k/a JOGINGER SAHNI, :
SABHARWAL CHANDRA KUMAR a/k/a SABHARWAL K. :
CHANDRA, MANDEEP SINGH SAHNI a/k/a MOHINDER :
SINGH a/k/a MOHINDER SAHNI a/k/a MOHINDER SINGH :
SAHANI, HELP LINE COLLECTION CO. W.L.L., PARKER :
DAWOOD TAJUDDIN TAJUDIS ISMAIL PARKER, :
SARDAR TRADERS EST., SARDAR INTERNATIONAL :
TRADING CO., AL TAMASOK AL ARABI EST., JOHN DOE :
1-100 (fictitious) and JOHN DOE INC.1-100 (fictitious) :

Defendants.

: 05 CIV 4356 (RCC)


: NOTICE OF
: MOTION

-----X
PLEASE TAKE NOTICE that upon the annexed declarations of Joginder Singh

Sahni, dated January 12, 2007, Dawood Tajuddin Parkar, dated January 10, 2007, Ahmed
Abdulaziz al-Asoosi, dated January 15, 2007, and Harry H. Wise, III, dated March 7,
2007, defendants Joginder Singh Sahni (sued herein as "Joginder Singh Sahni a/k/a
Joginger Singh Sahni a/k/a Joginder Sahni Singh a/k/a Joginder Singh a/k/a Joginder
Sahni a/k/a Joginger Singh a/k/a Joginger Sahni"), Dawood Tajuddin Parkar (sued herein

as "Parker Dawood Tajuddin Tajudis Ismail Parker"), Help Line Collection Co., Sardar Traders Est. and Sardar International Trading Co. W.L.L., hereby move, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, for dismissal of this action, as against them, for lack of personal jurisdiction, and, alternatively, move for dismissal of the action, as against them, for *forum non conveniens*.

Dated: New York, N.Y.
March 9, 2007


HARRY H. WISE, III (HW6841)
*Attorney for Defendants Joginder
Singh Sahni, Dawood Tajuddin
Parkar, Help Line Collection Co.
Sardar Traders Est., and Sardar
International Trading Co., W.L.L.*
500 Fifth Avenue, suite 1650
New York, N.Y. 10110
(212) 810-2430, ex. 302
(212) 810-2427 (fax)
hwiselaw@aol.com

To:

Freehill Hogan & Mahar, LLP
Attorneys for Plaintiffs
80 Pine Street
New York, N.Y. 1005

Carter Ledyard Milburn, LLP
Attorneys for Defendant Mohinder Singh Sahani
2 Wall Street
New York, N.Y. 10005

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SOUTHERN DISTRICT OF NEW YORK

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ABUL SABAH a/k/a AREF HASSAN ABUL, MOHINDER
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a/k/a MOHINDER SAHANI SINGH, a/k/a JOGINDER SINGH
SAHNI, JOGINDER SINGH SAHNI, a/k/a JOGINDER SINGH
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SINGH a/k/a MOHINDER SAHNI a/k/a MOHINDER SINGH
SAHANI, HELP LINE COLLECTION CO. W.L.L., PARKER
DAWOOD TAJUDDIN TAJUDIS ISMAIL PARKER,
SARDAR TRADERS EST., SARDAR INTERNATIONAL
TRADING CO., AL TAMASOK AL ARABI EST., JOHN DOE
1-100 (fictitious) and JOHN DOE INC.1-100 (fictitious)

Defendants.
-----X

:
:
: 05 CIV 4356 (RCC)

DECLARATION

JOGINDER SINGH SAHNI, hereby declares, upon penalty of perjury, pursuant
to the laws of the United States of America:

1. I am one of the defendants in this lawsuit, and I submit this declaration in
support of a motion to dismiss the lawsuit for lack of jurisdiction over me in New York,
and because New York would be an inconvenient forum for me to litigate these matters
in.



2. I am a citizen of India who lives and works in Kuwait. I do not own property in New York, have no bank accounts there, do not do business there or transact business there.

3. I had no connection with any of the allegedly wrongful activities that are the subject matter of this suit. I had no involvement with setting up the New York corporations that are defendants here, was not a shareholder, officer, or director of them, had no financial interest in them, and had no knowledge of their business transactions with Maersk until I became aware of the various claims back and forth after the fact.

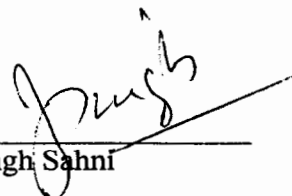
4. I am not involved in any business dealings with my son, Arween, and have not been for several years, since we had a falling out and I excluded him from my business activities.

5. I do not travel to the United States on business. It would be a hardship for me to take part in litigation in New York. I understand that Maersk has brought various lawsuits in Kuwait related to these matters, and it is there that the questions should be decided. *In 2005, Maersk has already filed a case against me in Kuwait regarding the same matter.*

6. I have no ownership interest in Help Line Collection Co., Sardar International Co., W.L.L., or Sardar Traders. They are in no sense my companies. I do not control them, and I do not profit from them.

Dated: January / 2 , 2007

Declared under penalty of perjury:


Joginder Singh Sahni

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MAERSK, INC., and A.P. MOLLER-MAERSK, A/S

Plaintiffs,

-against-

NEEWRA, INC, REDNIHOM, INC., AREF HASSAN ABUL
INC., ARWEEN SINGH SAHNI a/k/a ARWEEN SAHNI
SINGH, a/k/a ARWEEN SAHNI a/k/a ARWEEN SINGH a/k/a
ABUL SABAH a/k/a AREF HASSAN ABUL, MOHINDER
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SAHNI, JOGINDER SINGH SAHNI, a/k/a JOGINGER SINGH :
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SAHNI a/k/a JOGINGER SINGH a/k/a JOGINGER SAHNI, :
SABHARWAL CHANDRA KUMAR a/k/a SABHARWAL K. :
CHANDRA, MANDEEP SINGH SAHNI a/k/a MOHINDER :
SINGH a/k/a MOHINDER SAHNI a/k/a MOHINDER SINGH :
SAHANI, HELP LINE COLLECTION CO. W.L.L., PARKER :
DAWOOD TAJUDDIN TAJUDIS ISMAIL PARKER, :
SARDAR TRADERS EST., SARDAR INTERNATIONAL :
TRADING CO., AL TAMASOK AL ARABI EST., JOHN DOE :
1-100 (fictitious) and JOHN DOE INC.1-100 (fictitious) :

: 05 CIV 4356 (RCC)

DECLARATION

Defendants.
-----X

PARKAR DAWOOD TAJUDDIN, hereby declares, upon penalty of perjury,
pursuant to the laws of the United States of America:

1. I am one of the defendants in this lawsuit, and I submit this declaration in
support of a motion to dismiss the lawsuit for lack of jurisdiction over me in New York,
and because New York would be an inconvenient forum for me to litigate these matters
in.

2. I am a citizen of India who lives and works in Kuwait. I do not own property in New York, have no bank accounts there, do not do business there or transact business there. I am a chemical engineer employed by Blue Bird Co., W.L.L.

Annexed hereto is a copy of my identity card along with a translation.

3. I had no involvement with setting up the New York corporations that are defendants here, was not a shareholder, officer, or director of them, had no financial interest in them, and had no knowledge of their business transactions with Maersk until I became aware of the various claims back and forth after the fact.

4. I became involved because Arween Singh Sahni, who grew up in Kuwait, is a friend of mine. He asked me to help him hire a lawyer in Kuwait to file a claim against Maersk, and I agreed to do that. He gave me a power of attorney, and I retained a well-respected law firm to handle the suit.

5. I did this as a favor to Arween, and did not receive any compensation for it. I was not a witness in the lawsuit.

6. I do not travel to the United States on business. It would be a hardship for me to take part in litigation in New York. I understand that Maersk has brought various lawsuits in Kuwait related to these matters, and it is there that the questions should be decided.

Dated: January 10, 2007



Parkar Dawood Tajuddin

دولة الكويت
الرقم المدني : 245060100287



الاسم :
باركر دلالود
تاج الدين تاج الدين
اسماعيل باركر

الجنسية : قطري
تولد : 1945/06/01
تاريخ انتهاء البطاقة : 2009/09/05

الرقم المدني لملصق العائلة : 245060100287
سجل الدفنية : 109668049
اسم العائلة / المولد : 18 / العمل / الكفيل :
شركة قطر الزرق



الجنس : القروانيه
شماره : 103
دفني / هبنة : 1276
رقم لوحه : 18

6670954 :
صحة الدم
O+



664152007





Tel. : 2461769/2491680 - Fax : 2461769

تلفون: ٢٤٦١٧٦٩ - فاكس: ٢٤٩١٦٨٠ / ٢٤٦١٧٦٩

TRANSLATION

State of Kuwait

Civil Card

Civil Number 245060100287

Name : Parkar Dawood Tajuddin

Nationality : Indian

*Holder's
Photograph*

Date of Birth : 01/06/1945

Sex : Male

Card Expiry Date: 05/09/2009

Holder's Civil No.: 245060100287

Interior Reference..: 109668049

Basis of Residence / Article -18 Employment/ Sponsor /

Blue Bird Co.W.L.L.

Address : Farwaniya **Block :** 6

Street No. : 103 **Bldg. / Plot :** 1276

Flat No : 18

Type of Unit : Flat

Unit No. : **Floor :** 6

Telephone : 6670954

Blood Group O+



المراقب - ارفع الشهداء - عمارة الربيعية - الدور الارضي - مكتب (٧) - بجانب مركز الامارات للصيرفة
Murqab - Shuhada Street - Rabia Building - Ground Floor - Office (7) - Near U.A.E. Exchange

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MAERSK, INC., and A.P. MOLLER-MAERSK, A/S

Plaintiffs,

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NEEWRA, INC, REDNIHOM, INC., AREF HASSAN ABUL
INC., ARWEEN SINGH SAHNI a/k/a ARWEEN SAHNI
SINGH, a/k/a ARWEEN SAHNI a/k/a ARWEEN SINGH a/k/a
ABUL SABAH a/k/a AREF HASSAN ABUL, MOHINDER
SINGH SAHNI a/k/a MOHINDER SAHNI SINGH a/k/a
MOHINDER SAHNI a/k/a MOHINDER SINGH a/k/a
MOHINDER SINGH SAHANI a/k/a MOHINDER SAHANI
a/k/a MOHINDER SAHANI SINGH, a/k/a JOGINDER SINGH : DECLARATION
SAHNI, JOGINDER SINGH SAHNI, a/k/a JOGINGER SINGH
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SARDAR TRADERS EST., SARDAR INTERNATIONAL
TRADING CO., AL TAMASOK AL ARABI EST., JOHN DOE
1-100 (fictitious) and JOHN DOE INC.1-100 (fictitious)

Defendants.
-----X

AHMED ABDULAZIZ AL ASOOSI, hereby declares, upon penalty of perjury,
pursuant to the laws of the United States of America:

1. I am a citizen of Kuwait, and a stock holder and president of three
defendants in this case, Sardar International Co. W.L.L., Sardar Traders and Help Line
Collection Co., W.L.L., and I submit this declaration in support of their motion to have

this case dismissed for lack of jurisdiction over them in New York, and because New York would be an inconvenient forum to litigate these issues.

2. Each of these companies is organized under the laws of Kuwait, and they have their principal places of business in Kuwait.

3. The business of Sardar International Co. W.L.L. is general trading and contracting. The shareholders are myself, 51 percent, Kulwant Singh Sahni, 47 percent, and Hardeep Singh Sahni, 2 percent. Its office address is Qibla Building No. 101, Kuwait City, Kuwait. All of its business is done in Kuwait.

4. The business of Sardar Traders is selling auto spare parts and tyres. Its office address is Shuwaikh Industrial Area, Building No. 61, Kuwait. I am its sole shareholder. All of its business is done in Kuwait.

5. The business of Help Line Collection Co., W.L.L., is debt collection. All of its business is done in Kuwait. The address of its office is Sharq, Merzouk Building, Office No. 1, Kuwait City, Kuwait. I own 51 percent of the shares, and Kulwant Singh Sahni owns 47 percent and Hardeep Singh Sahni owns 2 percent.

6. These companies have no connection to the State of New York. They do not do business there, and they do not transact business there. They own no property there, do not have any telephone listings or offices there, and do not have any agents there, or anyone working on their behalf.

7. Neither these companies, nor their shareholders, had any connection to, or involvement in the business of, the New York corporations sued in this lawsuit except, with respect to Help Line.

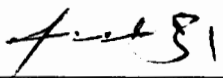
8. Neither Sardar International nor Sardar Traders, nor their shareholders transacted any business with Maersk, Inc. or A.P. Moller-Maersk A/s related to any of the matters that are the subject of this suit. The sole involvement of Helpline was that it was requested by the Rednihom company to assist it in having a container re-shipped from Kuwait to Dubai, which attempt was unsuccessful. All of Help Line's activities took place in Kuwait.

9. Neither Joginder Singh Sahni nor Mohinder Singh Sahni has any ownership in these three companies. Parkar Dawood Tajuddin is not an employee of any of these companies, and has no connection with them.

10. It would be a hardship for these Kuwaiti companies to be forced to litigated this case in New York. I believe that Maersk has already brought suit in Kuwait over these matters.

Dated: January 15, 2007

Declared under penalty of perjury:



Ahmed Abdulaziz Al Asoosi

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MAERSK, INC., and A.P. MOLLER-MAERSK, A/S

Plaintiffs,

-against-

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INC., ARWEEN SINGH SAHNI a/k/a ARWEEN SAHNI
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1-100 (fictitious) and JOHN DOE INC.1-100 (fictitious) :

Defendants.
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HARRY H. WISE, III, hereby declares under penalty of perjury:

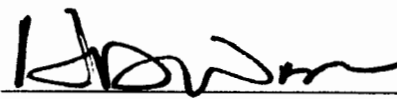
1. I am counsel for the moving defendants, and submit this declaration to clarify the statements in their declarations concerning the case brought against them in Kuwait.

2. They are referring to a criminal case against them, not a civil case, but, upon information and belief, based on my conversations with them, the line between civil and criminal is not drawn the same way there.

3. That is, upon information and belief, Maersk's lawyers in Kuwait have played an active role in causing the case to be brought and in prosecuting it, and if Maersk obtains success in the criminal case, that can be a basis for recovery of their damages from the defendants there, according to my clients.

4. I have obtained from Mr. Sahni a document concerning the criminal case, with a translation from Arabic to English, which I annex hereto as Exhibit A.

Dated: New York, N.Y.
March 7, 2007


Harry H. Wise, III (HW6841)



وزارة الداخلية
الإدارة العامة للتحقيقات

الرقم:

التاريخ: ٢٠٠٧/٣/٧

شهادته لمن يجهله الأمر

بعد الإطلاع على ملف اللجنة رقم (٢٠٠٥/١٧٦) مخفر الشرق ، تبين أنها تتضمن البلاغ المقدم من/القيس أندريو بنتو المدير التجاري لشركة ميرسك كويت ، بتاريخ ٢٠٠٥/٥/٩ ، الذي أتهم فيه كل من /أروين سينك ساهني و/جوكندر سنك ساهني و/صبروال شاندرا كومار و/باركر داوود تاج الدين إسماعيل باركر ، بالنصب والاحتيال على شركة ميرسك عن طريق إستعمال محرر مزور (بوليصة شحن) وأستولوا في المقابل على أذن تسليم بضاعة تم شحنها من الولايات المتحدة الأمريكية عبر شركته إلى الكويت .

ومازالت اللجنة المذكورة قيد التحقيق ، ولم يصدر فيها تصرف نهائي بعد .

وقد حررت هذه الشهادة وسلمت الى /جوكندر سنك ساهني ، بناء على طلبه.

مدير عام الاداره العامه للتحقيقات
فلاح سعد العتيبي

نسخه/للمتابعة للحفظ بملف الشهادات .

نسخه/مع ملف الجلحه لإعلائها الى سجل المظنون .

نسخه/للملف العام .



SINAR TRANSLATION & TYPING



سinar للترجمة والطباعة

State of Kuwait
Ministry of Interior
General Department of Investigations

DATE: 7/3/2007

Ref:

TO WHOM IT MAY CONCERN

After perusal of Misdemeanor File No.(176/2005) - Al-Sharq Police Station, it is found that it holds the FIR - lodged by Mr. Elvis Andrew Pinto- Commercial Manager of "Maersk Inc. - Kuwait, dated 9/5/2005, in which he accused each of Arween Singh Sahni, Joginder Singh Sahni, Sabharwal Chandra Kumar and Parker Dawood Tajuddin Ismail Parker -in cheating and fraud against Maersk Company, through using of a forged document (Bill of Lading) and got, in the return, hold of Delivery Order of the Goods shipped from United States of America through his Company to Kuwait.

The said misdemeanor case is under investigation, and the final action is not issued yet.

This certificate has been written and delivered to "Joginder Singh Sahni" on his demand.

Director General
General Department of Investigations
Falah Saad Al Oteibi

- Copy for follow-up for filing with Certificates File.
- Copy with misdemeanor file - for returning it to the cases register.
- Copy to the General File.

Phone: 24400000 Fax: 24400000 Email: sinartranslation2000@yahoo.com
P.O. Box: 110000, Al-Sabkha, Kuwait City, Kuwait

الكويت - المرقاب - قرب مجمع الملك
sinartranslation2000@yahoo.com

0 Mar., 07:2007 07:45PM P2

1. PHONE NO. :

FROM : XXXXXXXX